

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

STEPHONE WISHOP,

Plaintiff

v.

**PATRICIA GINOCCHETTI and
JAMES T. WYNDER, JR.,**

Defendants

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Civil Action No. 1:06-CV-2460

(Judge Kane)

MEMORANDUM AND ORDER

WHEREAS Defendant moves the Court to set aside the default judgment entered in Plaintiff's favor, claiming that Defendant attempted to comply with the Court's March 24, 2008 order, but apparently failed due to a computer glitch. (Doc. No. 32.)

WHEREAS Rule 55(c) of the Federal Rules of Civil Procedure provides that "[f]or good cause shown the court may set aside an entry of default and, if a judgment by default has been entered, may likewise set it aside in accordance with Rule 60(b)." Fed. R. Civ. P. 55(c).

WHEREFORE this 21st day of October, 2008, **IT IS HEREBY ORDERED** that the entry of default entered on September 30, 2008 (Doc. No. 30) is hereby stricken and the order directing the Clerk of Court to enter a default (Doc. No. 29) is hereby vacated. Defendants are directed to file an answer to Plaintiff's Complaint within 5 days of the date of this Order.

S/ Yvette Kane
Yvette Kane
United States District Judge
Middle District of Pennsylvania